

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**CARLOUS S. HORTON,**

**Defendant.**

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**Case No. 11-3021-01-CR-S-GAF**

**ORDER**

Now pending before the Court is Defendant's Motion to Dismiss (Doc. #208), and Motion to Dismiss or Suppress Evidence (Doc. #213). Defendant asserts that the agents executing the search warrants at the residence stole approximately \$9,000.00, and that a confidential source acted outside the supervision of the DEA agents.

On January 26, 2012, United States Magistrate Judge James C. England issued his Report and Recommendation (Doc. #223).

Upon careful and independent review of the pending motions, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge James C. England.

Accordingly, it is hereby ORDERED that Defendant's Motion to Dismiss (Doc. #208) and Defendant's Motion to Dismiss or Suppress Evidence (Doc. #213) are OVERRULED and DENIED.

SO ORDERED.

s/ Gary A. Fenner

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Gary A. Fenner, Judge  
United States District Court

DATED: February 21, 2012